PROB 12C (7/93)

United States District Court

for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Kole Akinola

Docket Number: 02-00013-001

PACTS Number: 29694

Name of Sentencing Judicial Officer: Honorable Dickinson R. Debevoise, United States District Judge

Date of Original Sentence: 04/08/2002

Original Offense: Conspiracy to Commit Bank Fraud

Original Sentence: 10 months imprisonment; 3 years supervised release; \$46,249.25 in restitution. \$100 special assessment. Special conditions: 1) drug testing/treatment, 2) financial disclosure, 3) no new debt, 4) cooperation with INS; 5) DNA collection.

Type of Supervision: Supervised Release Date Supervision Commenced: 08/25/08

Assistant U.S. Attorney: To Be Assigned, 970 Broad Street, Room 502 Newark, New Jersey 07102 (973) 645-2700

Defense Attorney: To Be Assigned, 1002 Broad Street, Newark, New Jersey 07102, (973) 645-6347

PETITIONING THE COURT

[X]	To issue a	warrant
[]	To issue a	summons

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The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u> <u>Nature of Noncompliance</u>

The offender has violated the special supervision condition which states 'ALCOHOL/DRUG TESTING AND TREATMENT

You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.'

The offender failed to report to Code-A-Phone on several occasions throughout the course of supervision. Specifically, the offender failed to report and submit urine samples on April 16, April 22, May 21, July 6, and August 10, 2010, in addition to February 2, March 22, and April 12, 2011.

The Probation Office has determined this conduct constitutes a Grade C violation.

The offender has violated the special supervision condition which states 'ALCOHOL/DRUG TESTING AND TREATMENT

You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.'

On August 27 and November 16, 2010, the offender reported to Code-A-Phone and submitted urine samples which yielded positive results for the presence of marijuana.

During a routine office visit on January 4, 2011, the offender submitted a urine sample which yielded invalid results due to dilution.

The Probation Office has determined this conduct constitutes a Grade C violation.

The offender has violated the standard supervision condition which states 'You shall not commit another federal, state, or local crime.'

On January 18, 2011, the offender was arrested by members of the Port Authority Police at the Holland Tunnel for allegedly operating a motor vehicle without a valid driver's license. This matter is still pending.

The Probation Office has determined this conduct constitutes a Grade C violation.

The offender has violated the standard supervision condition which states 'You shall not commit another federal, state, or local crime.'

On April 27, 2011, the offender was arrested by members of the Glen Ridge Police Department for allegedly driving under the influence of alcohol. A subsequent search of the rental vehicle revealed a black leather bag containing thirteen (13) Turbo Tax Prepaid Visa receipts for federal tax refunds in the names of other individuals, five (5) Visa debit cards in the names of other individuals, six (6) W-2 tax forms in the names of other individuals, five (5) money orders, eight (8) cellular telephones, and an updated Union County Corrections Daily Population Report listing hundreds of the inmates names.

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On April 28, 2011, the offender initially appeared before the Honorable Claire C. Cecchi, United States Magistrate Judge, and was detained without prejudice. There are no scheduled court proceedings.

The Probation Office has determined this conduct constitutes a Grade B violation.

The offender has violated the standard supervision condition which states 'You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.'

Since the commencement of supervision, the offender has failed to obtain verifiable employment despite numerous directives to do so. The offender has solely worked "under the table" selling clothing without a peddlers license.

The Probation Office has determined this conduct constitutes a Grade C violation.

By: Jamel H. Dorsey

U.S. Probation Officer

Date: 4/28/11

THE COURT ORDERS:

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The Issuance of a Warrant The Issuance of a Summons. Date of Hearing: No Action	
[] Other	Signature of Judicial Officer

Guil 29, 2011

Date